

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

— against —

COREY JONES and JASON JONES,

Defendants.

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 9-2-08

08 Cr. 0535 (VM)

ORDER

VICTOR MARRERO, United States District Judge.

The Government (see attached letter) requests that the Court schedule a conference in this matter within the next two weeks and that time be excluded from Speedy Trial Act calculations from August 29, 2008 until the date of the next conference. Neither Defendant has consented to the Government's request to exclude time from the Speedy Trial Act.

The Court has scheduled the next conference in this matter for September 12, 2008 at 10:15 a.m. It is hereby ordered that the adjourned time from August 29, 2008 until September 12, 2008 shall be excluded from speedy trial calculations. This exclusion is designed to guarantee effectiveness of counsel and prevent any possible miscarriage of justice. The value of this exclusion outweighs the best interests of the defendants and the public to a speedy trial. This order of exclusion of time is made pursuant to 18 U.S.C. §§ 3161(h)(8)(B)(ii) & (iv) and 18 U.S.C. § 3161(h)(1)(f).

SO ORDERED:

Dated: New York, New York
2 September 2008



Victor Marrero
U.S.D.J.



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

August 29, 2008

Via facsimile (212) 805-6382

Honorable Victor Marrero
United States District Judge
Southern District of New York
500 Pearl Street, Suite 660
New York, New York 10007

Re: United States v. Corey Jones and Jason Jones,
08 Cr. 535 (VM)

Dear Judge Marrero:

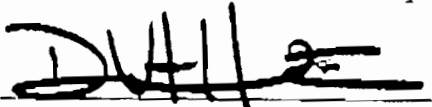
At the conclusion of today's conference, no future date for a next pretrial conference was set. The Government respectfully submits this letter to request that the Court schedule a pretrial conference at some point in the near future (perhaps two weeks out). Between now and then, the Government will be in the process of complying with the Court's requests of earlier today, making such disclosures as circumstances warrant or that the Court orders.

The Government further respectfully requests that the Court exclude time under the Speedy Trial Act from the date of Your Honor's consideration of this application through the date that is set for the new conference. Excluding time will best serve the ends of justice and outweigh the best interests of the public and the defendants in a speedy trial, because it will enable the Government to act on the remaining outstanding discovery issues in the case. It is the Government's understanding that neither Corey Jones nor Jason Jones consents to the exclusion of time.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By:


David V. Harbach, II
Assistant United States Attorney
(212) 637-2606

cc: Counsel of record (by fax)